

**APPLICATION FOR PAYMENT NO. 4
RETAINAGE RELEASE**

To: HIDALGO COUNTY (OWNER)

From: J.M. CONSTRUCTION (CONTRACTOR)

Contract: COLONIA ACCESS PROGRAM

Project: "ROAD & DRAINAGE CONSTRUCTION OF BERNAL-HIGHLAND SUBDIVISION"

OWNER's Contract No. C-CAP-08-004-02-20 ENGINEER's Project No. 2C-1080-105 & 071

For Work accomplished through the date of: 03-16-2009.

1. Original Contract Price:		\$ Q 168,786.50
2. Net change by Change Orders and Written Amendments (+ or -):		\$ Q +17,821.00
3. Current Contract Price (1 plus 2):		\$ Q 186,607.50
4. Total completed and stored to date:		\$ Q 186,607.50
5. Retainage (per Agreement):		
<u>10</u> % of completed Work:	\$ <u>0.00</u>	
<u> </u> % of stored material:	\$ <u>0.00</u>	
Total Retainage:		\$ Q 186,607.50
6. Total completed and stored to date less retainage (4 minus 5):		\$ Q 186,607.50
7. Less previous Application for Payments:		\$ Q 167,946.75
8. DUE THIS APPLICATION (6 MINUS 7):		\$ Q 18,660.75

Accompanying Documentation:

REQ# 134857 P.O.# 605603

9-1201-206-00-000-003-0-000 → = \$2,725.30

CONTRACTOR'S Certification:

9-1311-206-00-000-016-0-000 → = \$15,935.45

The undersigned CONTRACTOR certifies that (1) all previous progress payments received from OWNER on account of Work done under the Contract referred to above have been applied on account to discharge CONTRACTOR's legitimate obligations incurred in connection with Work covered by prior Applications for Payment numbered 1 through 3 inclusive; (2) title of all Work, materials and equipment incorporated in said Work or otherwise listed in or covered by this Application for Payment will pass to OWNER at time of payment free and clear of all Liens, security interests and encumbrances (except such as are covered by a Bond acceptable to OWNER indemnifying OWNER against any such Lien, security interest or encumbrance); and (3) all Work covered by this Application for Payment is in accordance with the Contract Documents and not defective.

Dated 5-29-09

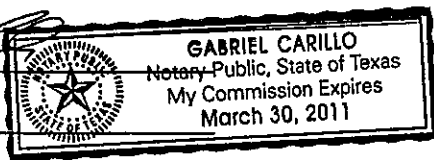
J.M. Construction

CONTRACTOR

By: [Signature]

State of Texas
County of Hidalgo
Subscribed and sworn to before me this 29
day of May, 2009

[Signature]
Notary Public
My Commission expires:



INVOICE RECEIVED BY:
[Signature] ON 4/8/09
GOODS/SERVICES RECEIVED BY:
[Signature] ON 6/8/09

Payment of the above AMOUNT DUE THIS APPLICATION is recommended.

Dated 06/01/2009

TEDSI Infrastructure Group
ENGINEER

By: [Signature]

Estimate Quantity Update Worksheet
 Corona: Bemal and Highland Subdivision
 Roadway: Bemal St (Bemal Subdivision)
 Contract: 20-1086-05
 Project No: C-CAP-08-004-02-20
 County: Hidalgo County Precinct No. 1
 Est. No: 4 Preliminary Release

Date: May 29, 2009
 Contractor: J.M. Construction
 Contract Price: \$59,098.00
 Work Done this Mo.: \$59,098.00
 % Complete: 100.00%

Date Begun: July 3, 2008
 Contract Time: 120
 Time Charged: 85
 % Time Used: 70.83%

Work Type: Paving and Drainage
 Units:
 From: Bemal & Highland Subdivision

Bemal

ITEM NO.	DESCRIPTION	UNIT	PROJECT QTY	Unit Price	Project Amount	July			August			Up to September 4, 2008			September 5 - October 2, 2008			October 3 - December 25, 2008			Total to Date	Balance To Finish	
						MONTHLY QTY to Date	Item Cost (Monthly)	MONTHLY QUANTITY	MONTHLY QTY to Date	Item Cost (Monthly)	MONTHLY QUANTITY	MONTHLY QTY to Date	Item Cost (Monthly)	MONTHLY QUANTITY	MONTHLY QTY to Date	Item Cost (Monthly)	MONTHLY QUANTITY	MONTHLY QTY to Date	Item Cost (Monthly)	MONTHLY QUANTITY			MONTHLY QTY to Date
(901) ADMINISTRATIVE (902) PRELIMINARY ENGINEERING (903) CONSTRUCTION ENGINEERING (904) RIGHT-OF-WAY (905) ROADWAY CONSTRUCTION (906) DRAINAGE																							
100	PREP H.O.W.	STA	11.97	\$400.00	\$4,798.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	11.97	0.0
134	Backfill (TV)	STA	11.97	\$200.00	\$2,394.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	11.97	0.0
247	FLBS (sidewalk) (TV)	CY	5.46	\$200.00	\$1,092.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	5.46	0.0
310	ASPH MATRI (MC-30)	TON	57.4	\$63.00	\$3,616.20	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	57.4	0.0
340	ASPH Concrete (TV)	TON	234	\$81.00	\$19,054.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	234	0.0
500	Mobilization	LF	1	\$1,000.00	\$1,000.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	1	0.0
502	Barbedwire, Signs and Traffic Handling	MD	1	\$2,000.00	\$2,000.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	1	0.0
2500	EM-1 TREATED FLEX BASE	SY	73	\$21.00	\$1,533.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	73	0.0
2900	EM-1 ROADBOND	SY	3292	\$2.50	\$8,230.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	3292	0.0
5249	Temporary Statement Control Fence (Remove)	LF	40	\$30.00	\$1,200.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	40	0.0
(906) DRAINAGE (907) RCP (C.I.) (908) SET (TV) (RIB) (N) (RCP) PE (909) DIVERTERS (CONC) (RT) (910) ASPH Concrete (PAV) (PB-1) (911) 15" Compugated Pipe																							
464	18" RCP (C.I.)	LF	0	\$30.00	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	0.0
467	SET (TV) (RIB) (N) (RCP) PE	EA	0	\$50.00	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	0.0
530	Diverters (CONC) (RT)	SY	0	\$30.00	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	0.0
530	Diverters (ASPH CONC) (PAV) (PB-1)	SY	184	\$28.00	\$5,152.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	184	0.0
556	15" Compugated Pipe	LF	0	\$17.00	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	0.0

Monthly Totals:	July			August			Up to September 4, 2008			September 5 - October 2, 2008			October 3 - December 25, 2008			Total to Date	Balance To Finish
	MONTHLY QUANTITY	MONTHLY QTY to Date	Item Cost (Monthly)	MONTHLY QUANTITY	MONTHLY QTY to Date	Item Cost (Monthly)	MONTHLY QUANTITY	MONTHLY QTY to Date	Item Cost (Monthly)	MONTHLY QUANTITY	MONTHLY QTY to Date	Item Cost (Monthly)	MONTHLY QUANTITY	MONTHLY QTY to Date	Item Cost (Monthly)		
ADMINISTRATIVE (901)	0	0	\$0.00	0	0	\$0.00	0	0	\$0.00	0	0	\$0.00	0	0	\$0.00		
PRELIMINARY ENGINEERING (902)	0	0	\$0.00	0	0	\$0.00	0	0	\$0.00	0	0	\$0.00	0	0	\$0.00		
CONSTRUCTION ENGINEERING (903)	0	0	\$0.00	0	0	\$0.00	0	0	\$0.00	0	0	\$0.00	0	0	\$0.00		
RIGHT-OF-WAY (904)	0	0	\$0.00	0	0	\$0.00	0	0	\$0.00	0	0	\$0.00	0	0	\$0.00		
Roadway (905)	0	0	\$0.00	0	0	\$0.00	0	0	\$0.00	0	0	\$0.00	0	0	\$0.00		
Drainage (906-911)	0	0	\$0.00	0	0	\$0.00	0	0	\$0.00	0	0	\$0.00	0	0	\$0.00		
Total:	0	0	\$0.00	0	0	\$0.00	0	0	\$0.00	0	0	\$0.00	0	0	\$0.00		

Total to Date: \$54,834.00
 Roadway (905): \$4,254.00
 Drainage (906-911): \$59,098.00
 Total: \$54,834.00

Prepared and Checked By: *Jose A. Sanchez*
 Signature: *Jose A. Sanchez*
 Date: 06/01/2009



Texas Department of Transportation

PO BOX 1717 • PHARR TEXAS 78577-1717 • (956) 702-6100

March 12, 2009

Mr. Agapito Vargas, Director
Hidalgo County Border Colonia Access Program
301 East State Street
Pharr, Texas 78577

Dear Mr. Vargas:

TxDOT completed an inspection of the following Hidalgo County Border Colonia Access Program second-call projects in February 2009:

- o Bernal Subdivision, 2C1080252
- o Highland Subdivision, 2C1080318

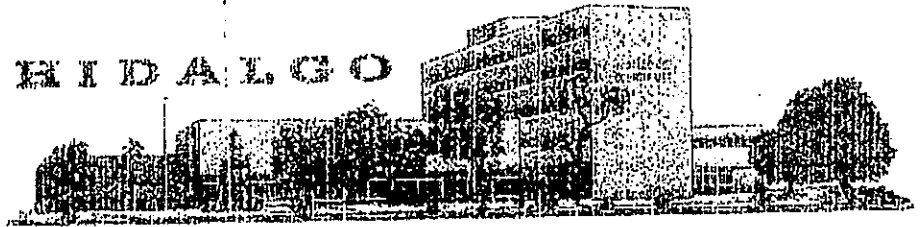
At the time of inspection, work appeared to be complete on both projects, and both projects met Program construction requirements. Both projects looked good, and we do not need to re-inspect them. I now have all necessary documentation on file for these projects.

Please let me know if you have any questions.

Sincerely,

Sharon Slagle
Border Colonia Access Program Manager

C O U N T Y O F H I D A L G O



SYLVIA S. HANDY
County Commissioner, Pct. 1
1902 Joe Stephens Ave.
Westaco, TX 78596
(956) 968-8733

May 21, 2009

Agapito Vargas, C.A.P. Director
Hidalgo County Pct. # 2
301 E. State St.
Pharr, Texas 78577

Re: Punch list for C.A.P. Bernal Paving Project

Dear Mr. Vargas:

The following items were addressed as per final inspection.

- 1) Hidalgo County Pct. #1 acquired R.O.W. for Bernal Subdivision. Contractor reduced pavement section to fit roadway, and increased length of project approved by TXDOT via change order.

If you have any question please do not hesitate to contact me at (956) 968-8733

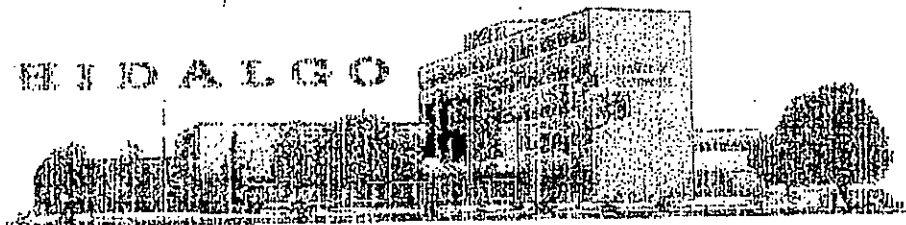
Thank you,

John Paul Lugo
C.A.P. Coordinator, Pct. 1

Cc: Mr. Jose Sanchez, P.E. TEDSI Infrastructure Group



C O U N T Y C O H I D A L G O



SYLVIA S. HANDY
County Commissioner, Pct. 1
1902 Joe Stephens Ave.
Westaco, TX 78696
(956) 968-8733

May 21, 2009

Agapito Vargas, C.A.P. Director
Hidalgo County Pct. # 2
301 E. State St.
Pharr, Texas 78577

Re: Punch list for C.A.P. Highland Paving Project

Dear Mr. Vargas:

The following items were addressed as per final inspection.

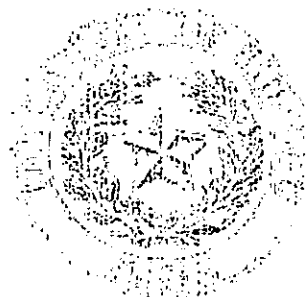
- 1) Hidalgo County Pct. #1 requested Contractor to reconstruct two additional roadways (320' total length) in Highland Subdivision approved by TxDOT via change order.

If you have any question please do not hesitate to contact me at (956) 968-8733

Thank you,

John Paul Lugo
C.A.P. Coordinator, Pct. 1

Cc: Mr. Jose Sanchez, P.E. TEDSI Infrastructure Group



CONTRACTOR'S AFFIDAVIT OF RELEASE OF LIENS

PROJECT: ROAD AND DRAINAGE CONSTRUCTION FOR BERNAL & HIGHLAND SUBDIVISIONS
OWNER: HIDALGO COUNTY **PROJECT NO.** C-CAP-08-004-02-20
CONTRACTOR: J.M. CONSTRUCTION
ENGINEER: TEDSI INFRASTRUCTURE GROUP

The Contractor, in accordance with the Contract Documents, and in consideration for the full and final payment to the Contractor for all services in connection with the project, does hereby waive and release any and all liens, or any and all claims to liens which the Contractor may have on or affecting the project as a result of its contract(s) for the Project or for performing labor and/or furnishing materials in any way connected with the construction of any aspect of the project. The Contractor further certifies and warrants that all subcontractors of labor and/or materials for the Project, except as listed below, have been paid in full for all labor and/or materials supplied to, for through or at the direct or indirect request of the Contractor prior to, through and including the date of this affidavit.

EXCEPTIONS: (If none, write "NONE". The Contractor shall furnish a bond acceptable to the Owner for each exception.)

None

CONTRACTOR J.M. CONSTRUCTION

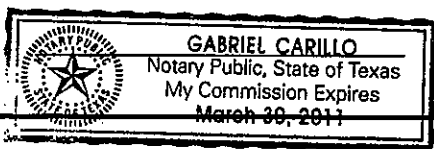
By 

Title President

Subscribed and sworn to before me this 29 day of May, 2009

Notary Public: 

My Commission Expires:



**CONTRACTOR'S AFFIDAVIT OF
PAYMENTS OF DEBTS AND CLAIMS**

PROJECT: ROAD AND DRAINAGE CONSTRUCTION FOR BERNAL & HIGHLAND SUBDIVISIONS
OWNER: HIDALGO COUNTY **PROJECT NO.** C-CAP-08-004-02-20
CONTRACTOR: J.M. CONSTRUCTION
ENGINEER: TEDSI INFRASTRUCTURE GROUP

The Contactor in accordance with the Contract Documents, hereby certifies that, except as listed below, all obligations for all materials and equipment furnished, for all work labor, and services performed, and for all known indebtedness and claims against the Contractor for damages arising in any manner in connection with the performance of the Contract referenced above for which the Owner or his property might in any way be held responsible have been paid in full or have otherwise been satisfied in full.

EXCEPTIONS: (If none, write "NONE". The Contractor shall furnish a bond acceptable to the Owner for each exception.)

None

CONTRACTOR J.M. CONSTRUCTION

By

Juan Mendez

Title

President

Subscribed and sworn to before me this

29

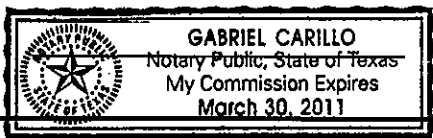
day of

May, 2009

Notary Public:

Gabriel Carillo

My Commission Expires:





TEDSI INFRASTRUCTURE GROUP



Consulting Engineers

1201 East Expressway 83 • Mission, Texas 78572

Tel: (956) 424-7898

Fax: (956) 424-7022

Letter of Transmittal

TO:
Ms Marcie G. Jackson
Administrative Assistant
301 E State
Pharr TX 78589

DATE:
June 3, 2009

REFERENCE:
Pct 1 Round 2 - Bernal Highland Retainage Release

TEDSI PROJECT NO:
2008-1024-01

TRANSMITTED:

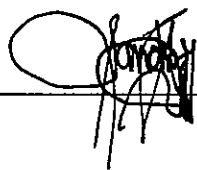
- | | | |
|--|---|--|
| <input checked="" type="checkbox"/> For Your Use | <input type="checkbox"/> Please comment | <input type="checkbox"/> Approved as Noted |
| <input type="checkbox"/> As Requested | <input type="checkbox"/> Reply ASAP | <input type="checkbox"/> As Noted Below |

DATE:

- VIA:**
- | | | |
|---|-------------------------------------|--------------------------|
| <input checked="" type="checkbox"/> US Mail | <input type="checkbox"/> Courier | <input type="checkbox"/> |
| <input type="checkbox"/> E-Mail | <input type="checkbox"/> Hand Carry | |

COPIES	DESCRIPTION
1	Retainage Release for Bernal-Highland

REMARKS

Signed: 

RECEIVED
JUN 3 8 2009
BY Marcie G. Jackson

Border Colonia Access Program
 Checklist for Documents Required for Road Construction

Contractor: J. N. Construction
 Contract Amount: \$ 1108,786.50
 Project/Precinct: Bonnes Highland Pct. 1
 Owner's Contract No.: C-CAP-08-081-02.30

Item	Required Documents	Submitted & Reviewed	Approved	Comments:
	INITIATION OF PROJECT:			
1	Approval to Bid (Purchasing)			
2	Contract - Signed and Executed			
3	Gen. Liability Insurance - (Expiration Date)			
4	Automobile Liab. Insurance - (Expiration Date)			
5	Worker's Comp. & Empl. Liab. (Expiration Date)			
6	Notice to Proceed			
7	Material Sample & Testing Table Sent to Auditor's Office			
8	Application and Certification of Payment (A)	✓	✓	
9	Schedule of Values a/k/a 1257/1258	✓	✓	
10	Estimate Quantity Update Worksheet	✓	✓	
11	List of Suppliers and Sub-contractors			
12	Partial Waiver of Liens (Sub-contractors/suppliers)			
13	TXDot Form 252 Contract Time Statement			
14	Payroll Report w/signed Wage Form			
15	Change Order (Requires TXDot Concurrence)			
16	Punch List	✓	✓	
17	Certificate of Construction Completion	✓	✓	
18	Approval by Commissioner's Court			
19	Contractor's Affidavit of Release (Waiver) of Liens (with power of attorney)(B)	✓	✓	
20	Affidavit of Payment of Debts & Claims-lien bond & Indemnity bonds(w/power of attorney)(B)	✓	✓	
21	Consent of Surety to Final Payment(with power of attorney)(B)			
22	Final Blue Prints			